

**Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
October 15, 2012**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Zimmerman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 11, 2012. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-present, Ms. Julia Hasser-present, Mr. Robert McKelvey-present, Mr. Mark Pausch-present, Mr. Robert Steen-present.

Also present: Mayor Ed Zimmerman, Clerk Rebecca Newman, Borough Attorney Albert Cruz.

MAYOR'S COMMENTS

The Mayor thanked the Clerk and her son for the landscaping done around the Municipal Building. The Mayor has received many thanks to the Mayor and Council from residents for the insulated grocery bags. The Fire Department's pancake breakfast will be held on October 21st, the First Reformed Church's ham dinner is November 3rd, and the Mary Jacobs Library fundraiser in November 10th. The Mayor and Council took an ICS training course on October 3, and the Mayor completed NIMS training on October 15. There is no Somerset County Governing Officials meeting in November. The Mayor was disappointed that no Rocky Hill Council members attended the last SCGO meeting, which featured a debate among the candidates running for Freeholder.

APPROVAL OF MINUTES

Regular Meeting Minutes – October 1, 2012. Hasser moved to approve the minutes as presented. Steen seconded the motion. Motion carried on roll call vote.

For: Bremner, Donahue, Hasser, McKelvey, Pausch, Steen

Against: None

Abstain: None

PUBLIC COMMENT

The floor was open to public comment. Hearing none, the floor was closed.

APPROVAL OF VOUCHERS

Bill List dated October 15, 2012 was presented for approval. Steen moved to approve all vouchers.

Motion seconded by Hasser. Motion carried on roll call vote.

For: Bremner, Donahue, Hasser, McKelvey, Hochberg, Pausch

Against: None

Abstain: None

DEPARTMENTAL REPORTS

Tax Collector—September 2012

Court Administrator—August and September 2012

Mayor Zimmerman summarized the Court Administrator's report. Motion was made by Donahue to accept the report as presented. Motion seconded by Hasser. Motion carried on roll call vote.

For: Bremner, Donahue, Hasser, McKelvey, Hochberg, Pausch

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Against: None

Abstain: None

COMMITTEE REPORTS

Administration & Records –No report.

Buildings & Grounds –Bremner reported that a pest control service is coming to inspect Borough Hall for mice. Bremner requested approval to purchase paint for Borough Hall. Hasser moved to approve the purchase of paint not to exceed \$45, seconded by Donahue, and all voted in favor. The County prisoners came on October 13 to spread seed and dirt around the Municipal Building, and they cleaned Crescent Point Park. The sign maker came to look over the new Municipal Building sign and agreed that if the paint looks uneven come springtime, he will repaint. Bremner is looking at security for the building.

Finance & Insurance – Donahue gave insurance forms to Fire Department and First Aid Squad to fill out.

Public Safety & Emergency Services – Pausch stated that the deadline for submitting photos for accountability tags is October 17. There is a new station commander in Kingwood. The Mayor requested that the Fire Department and First Aid Squad be present on Halloween during trick-or-treating hours.

Streets & Roads – Discussed the plans for Downtown Beautification.

Water, Sewer & Environmental Protection –Water usage remains higher than typical, but is in line with the last few months.

Council Representative to Planning Board – The Planning Board reviewed the Downtown Beautification plans and there was debate about the trees.

Council Liaison to Recreation Committee- No report.

Council Representative to Board of Health – No report.

Zoning Official's Report – No report.

Grants Committee – The Borough did not receive a grant from the County for Borough Hall. The County recommended resubmitting the application next year. The Fire Department received a grant for \$75,000.

SPECIAL BUSINESS

Resolution 2012-79 Authorizing the Combining of the Grants Awarded for FY 2011 Installation of Pedestrian Activated Flashing Signs and the FY 2012 Washington Street Beautification Projects

Hasser moved to approve the resolution. Steen seconded the motion. Motion carried on roll call vote.

For: Bremner, Hasser, McKelvey, Pausch, Steen

Against: None

Abstain: None

Rocky Hill First Aid Squad Update

Amanda Gibbs, Captain of the First Aid Squad, announced that the RHFAS is ready to go primary. Pausch moved to remove Princeton as co-primary and make RHFAS primary responder for Rocky Hill. Donahue seconded the motion, and motion carried on voice vote. Bremner abstained from the vote.

UNFINISHED BUSINESS

Ordinance 2012-05 PUBLIC HEARING: An Ordinance Authorizing the Leasing of a Portion of Block 5 Lot 1, As Shown on the Tax Maps of the Borough of Rocky Hill, For a Communications Antenna System.

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The floor was opened for public comment, Toby Whitlock, 94 Crescent Ave, stated that he is in favor.

Bremner moved to approve the Ordinance as presented, and Steen seconded the motion. Motion carried on roll call vote.

For: Bremner, Donahue, Hasser, McKelvey, Pausch, Steen

Against: None

Abstain: None

NEW BUSINESS

Approval of an Application to be submitted to the NJ Firemen's Association for Steven Santangelo

Approval of an Application to be submitted to the NJ Fireman's Association for Patrick Bolen

Donahue moved to approve both applications, Bremner seconded, and motion carried on voice vote.

COMMUNICATIONS

Communications as listed were distributed, disseminated and filed accordingly.

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Hearing none, the floor was closed.

ADJOURNMENT

Motion was made by Bremner with a second by Donahue to adjourn the meeting at 8:29 PM. Motion carried on voice vote.

Respectfully submitted:

Christine Witt
Deputy Borough Clerk

COUNTY OF SOMERSET
BOROUGH OF ROCKY HILL

RESOLUTION 2012-79

A RESOLUTION AUTHORIZING THE COMBINING OF TWO GRANTS RECEIVED
FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the Borough of Rocky Hill applied and was awarded a grant for the fiscal year 2011 for the installation of pedestrian activated flashing signals; and

WHEREAS, the Borough of Rocky Hill applied and was awarded an additional grant for the fiscal year 2012 for the Washington Street Beautification; and

WHEREAS, the Borough Council and Borough Engineer felt it was most advantageous to combine these two grant funded projects into one for the following reasons:

1. The two projects overlap- the beautification project encompasses all but one of the intersections that the pedestrian activated flashing signals would be installed in.
2. The projects compliment one another-the crosswalk grant would have required the use of plain concrete and the beautification project would replace the plain concrete with stamped concrete.
3. The project cost- the original grant request for the 2011 FY grant did not encompass the cost of replacing the accessibility ramps. The sidewalks will be redone utilizing the downtown beautification grant funding which will meet the current requirements.
4. Utilizing local funds- additional funding-was needed to replace the access ramps to meet current codes as part of the installation of the pedestrian activated flashing signals from the FY 2011 grant. This funding needed to be allocated in the 2012 budget for the Borough. With the award of the second grant in 2012 the Borough saw the opportunity to combine the projects and leverage all funding available, both grant and local, to obtain a larger project; and

WHEREAS, the applicant also requests a six (6) month time extension through February 2013 for the bidding and award of contract for the 2011 pedestrian activated flashing signals.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rocky Hill authorize the combining of the two grants received from the NJ Department of Transportation for the installation of pedestrian activated cross walk signals and the Washington Street beautification projects and a six (6) month extension through February 2013 be granted to bid and award a contract for the 2011 pedestrian activated flashing signals.


CERTIFICATION

I, Rebecca Newman, do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Borough of Rocky Hill at a meeting duly held on October 15, 2012.

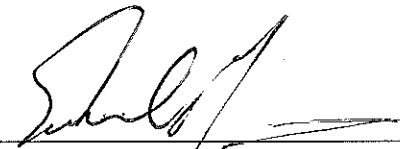
Rebecca Newman, Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL



Rebecca Newman, Clerk



Edward Zimmerman, Mayor

EXPLANATION: This Ordinance authorizes the leasing of a portion of Block 5, Lot 1, as shown on the Tax Maps of the Borough of Rocky Hill, for a communications antenna system.

**BOROUGH OF ROCKY HILL
ORDINANCE NO. 2012-05**

**AN ORDINANCE AUTHORIZING THE LEASING OF A PORTION OF
BLOCK 5, LOT 1, AS SHOWN ON THE TAX MAPS OF THE
BOROUGH OF ROCKY HILL, FOR A COMMUNICATIONS ANTENNA
SYSTEM.**

WHEREAS, the Borough of Rocky Hill, in the County of Somerset ("Borough"), is the owner of Block 5, Lot 1, as shown on the Tax Maps of the Borough of Rocky Hill ("Property"); and

WHEREAS, the Borough desires to lease a portion of the Property no longer necessary for a public purpose to a telecommunications carrier consisting of ground space and space on the Borough's Water Storage Tower; and

WHEREAS, the Borough Council has determined it to be in the public interest to lease a portion of the Property to the highest bidder in accordance with N.J.S.A. 40A:12-14(a).

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Rocky Hill that:

Section 1. The leasing of a portion of Block 5, Lot 1, as shown on the Tax Maps of the Borough of Rocky Hill, shall be to the highest bidder.

Section 2. The receipt of bids shall be addressed to and received by the Borough of Rocky Hill Clerk, Borough Hall, 15 Montgomery Avenue, P.O. Box 188, Rocky Hill, New Jersey, 08533.

Section 3. A Notice to Bidders for the "2012 Lease Agreement Water Storage Tank Communications Antenna System" shall be published in accordance with the law and bids may be accepted in accordance with the terms and conditions of this Ordinance and the "2012 Lease Agreement Water Storage Tank Communications Antenna System." All bids shall satisfy any requirements and meet any terms and conditions of this Ordinance and the Notice to Bidders.


Section 4. Bids shall be subject to the following conditions:

- (a) The highest bidder will be the Lessee, subject to the provisions below.
- (b) The lease is being made subject to the following terms, conditions, restrictions and limitations:
 - 1) All bids must satisfy any requirements and meet any terms and conditions of the "2012 Lease Agreement, Water Storage Tank, Communications Antenna System" prepared by VanCleeef Engineering Associates.
 - 2) No contingencies are permitted.
 - 3) In the event that the successful bidder fails to enter into a Lease Agreement with the Borough, the bidder shall forfeit all deposit monies made to the Borough.
 - 4) The minimum amount bid to lease the Property shall be \$3,550.00.
 - 5) The Borough reserves the right to accept the highest responsive bid if equal to or greater than the minimum bid price, or to reject all bids and not award to the highest bidder. The Borough reserves the right to waive any and all defects and informalities in any proposal, and to accept or reject the highest responsible and responsive bid deemed to be in the best interest of the Borough.
 - 6) The Borough's acceptance or rejection of bids shall be made not later than at the second regular Borough Council meeting following the receipt of bids. No bid shall be considered finally accepted until passage by the Borough Council of a Resolution accepting such bid. The lease signing shall occur not later than forty-five (45) days from the date of award by the Borough Council.
 - 7) **THE BOROUGH IS LEASING THE PROPERTY IN "AS IS" AND "WHERE IS" CONDITION AND MAKES NO REPRESENTATIONS OR WARRANTIES REGARDING ANY ASPECT OF THE PROPERTY.**

- 8) BIDDER(S) SHALL INDEMNIFY AND SAVE HARMLESS THE BOROUGH AND ANY OF ITS OFFICIALS, OFFICERS, EMPLOYEES, ASSIGNS, DESIGNEES, AGENTS OR CONTRACTORS, AND ANY OF ITS OFFICIALS, OFFICERS, EMPLOYEES, ASSIGNS, DESIGNEES, AGENTS OR CONTRACTORS FOR ANY DISCREPANCIES OF ANY TYPE AND FOR ANY ERRORS OR OMISSIONS OF ANY TYPE IN PRINT, ADVERTISING OR ANNOUNCEMENTS AND FOR ANY REPRESENTATIONS OR STIPULATIONS, ORAL OR WRITTEN. THE BOROUGH MAKES NO WARRANTY OR REPRESENTATION, EXPRESSED OR IMPLIED, REGARDING THE PROPERTY.
- 9) The method of bidding shall be by sealed bids.

Section 5. That a copy of this Ordinance be attached to the "2012 Lease Agreement, Water Storage Tank Communications Antenna System."

Section 6. The Mayor, Borough Clerk or such other Borough officials as the law may provide, are hereby authorized to prepare and execute such documents as may be required to affect the Lease Agreement authorized by this Ordinance.

 Section 7. The Notice to Bidders shall constitute and serve as the public notice to be published in a newspaper circulating in the Borough at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the receipt of bids.

Section 8. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 9. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Code of the Borough of Rocky Hill are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 10. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

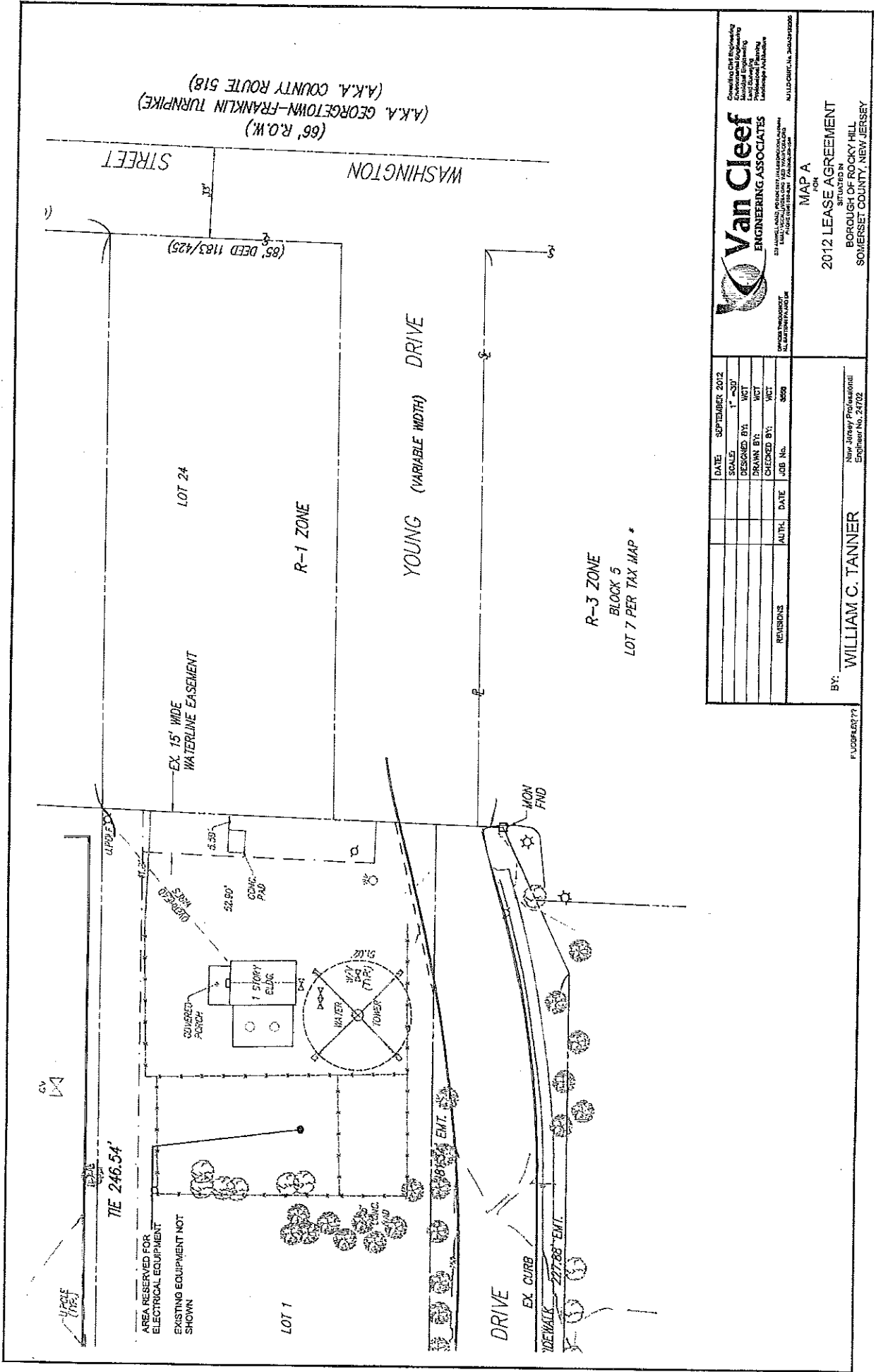
BOROUGH OF ROCKY HILL

Rebecca P. Newman, Clerk


Edward P. Zimmerman, Mayor

Introduction _____, 2012

Final Adoption _____, 2012



(A.K.A. GEORGETOWN-FRANKLIN TURNPIKE)
(66' R.O.W.)
(A.K.A. COUNTY ROUTE 518)

												Van Cleef ENGINEERING ASSOCIATES		231 HUNTERS LANE, WESTPORT, MASSACHUSETTS 01886 TEL: 978/335-1100 FAX: 978/335-1101 WWW.VANCLEEF-ENG.COM		CREDIT: Civil Engineering License No. 00000000 Professional Engineering Professional Surveying Professional Landscaping Architecture		AUGUST 2012, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, 10A, 11A, 12A, 13A, 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 28A, 29A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 39A, 40A, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A, 49A, 50A, 51A, 52A, 53A, 54A, 55A, 56A, 57A, 58A, 59A, 60A, 61A, 62A, 63A, 64A, 65A, 66A, 67A, 68A, 69A, 70A, 71A, 72A, 73A, 74A, 75A, 76A, 77A, 78A, 79A, 80A, 81A, 82A, 83A, 84A, 85A, 86A, 87A, 88A, 89A, 90A, 91A, 92A, 93A, 94A, 95A, 96A, 97A, 98A, 99A, 100A, 101A, 102A, 103A, 104A, 105A, 106A, 107A, 108A, 109A, 110A, 111A, 112A, 113A, 114A, 115A, 116A, 117A, 118A, 119A, 120A, 121A, 122A, 123A, 124A, 125A, 126A, 127A, 128A, 129A, 130A, 131A, 132A, 133A, 134A, 135A, 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MAP A
 2012 LEASE AGREEMENT
 SITUATED IN
 BOROUGH OF ROCKY HILL
 SOMERSET COUNTY, NEW JERSEY

BILL LIST OCT. 15, 2012
List of Bills - (0110101001) CASH
CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
7395	60 - COURIER NEWS	PO 4031 Advertising Ordinance 2012-05	24.20	24.20
7396	71 - DIFRANCESCO BATEMAN PC	PO 4052 Legal fees	1,249.18	1,249.18
7397	468 - FAST SIGNS	PO 4049 Engraved name plates (2)	41.95	41.95
7398	86 - GENERAL CODE PUBLISHERS	PO 4051 eCode360 Annual Maintenance	1,195.00	1,195.00
7399	122 - KENCOR INC	PO 4047 Annual elevator pressure release te	475.00	475.00
7400	313 - MUNICIPAL SOFTWARE INC	PO 4050 Municipal Software	6,133.20	6,133.20
7401	181 - NEW JERSEY PLANNING OFFICIALS	PO 4037 NJ Planning Officials dues 2013	315.00	315.00
7402	210 - PSE&G	PO 4038 Street Lights Sept. 2012	668.39	668.39
7403	210 - PSE&G	PO 4039 Muncipal Building electric Sept. 20	286.61	286.61
7404	210 - PSE&G	PO 4040 Panicaro Park electric Sept. 2012	14.47	14.47
7405	210 - PSE&G	PO 4041 Crescent Point Park electric Sept.	7.98	7.98
7406	319 - RARITAN VALLEY DISPOSAL INC	PO 4035 Trash Pick Up Sept. 2012	3,808.49	3,808.49
7407	457 - REBECCA NEWMAN	PO 4032 Rockyhill-nj.gov domain registratio	161.63	161.63
7408	430 - SHERATON ATLANTIC CITY	PO 3939 Hotel for League Conference	1,287.00	1,287.00
7409	247 - SOMERSET COUNTY TREASURER	PO 4036 County recycling fee 2nd Q 2012	1,741.05	1,741.05
7410	247 - SOMERSET COUNTY TREASURER	PO 4046 Health Dept. fees Oct. 2012	974.17	974.17
7411	251 - SOUTH BOUND BROOK BOROUGH	PO 4034 South Bound Brook Police service an	4,896.35	4,896.35
7412	452 - SPRINT-NEXTEL CORP	PO 4043 Mayor and Clerk's cell phones	165.81	165.81
7413	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 4029 3rd quarter 2012 hydrants	700.00	700.00
7414	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 4030 3rd quarter 2012 Borough Hall water	60.00	60.00
TOTAL				24,205.48

Total to be paid from Fund 01 CURRENT FUND

24,205.48

24,205.48

List of Bills - (0810101001) CASH
UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6711	415 - AQUA PRO TECH LABS	PO 4044 Water testing 10/1/12	18.36	18.36
6712	364 - BRIAN RICHTER	PO 4045 Read water meter books Q2 & Q3	200.00	200.00
6713	71 - DIFRANCESCO BATEMAN PC	PO 4052 Legal fees	945.00	945.00
6714	450 - ONE CALL CONCEPTS INC	PO 4033 September 2012 One Calls	9.44	9.44
6715	210 - PSE&G	PO 4042 Water Dept. electric Sept. 2012	994.10	994.10
6716	316 - STATE OF NEW JERSEY PWT	PO 4028 3rd Quarter 2012 water tax	57.75	57.75
TOTAL				2,224.65

Total to be paid from Fund 08 UTILITY OPERATING

2,224.65

2,224.65